



11W
3/11
Docket No. 0307091.0158

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : LIGHTNER, et al. Art Unit : 3661
Serial No. : 10/615,516 Examiner : Zanelli, Michael J.
Filed : July 8, 2003 Attny. Docket : 0307091.0158
Title : **INTERNET-BASED EMISSIONS TEST FOR VEHICLES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

In response to the Notice of Non-Compliant Amendment dated September 1, 2004, the corrected section of the Amendment filed on August 18, 2004, is attached hereto and entitled "Amendments to the Claims". The Notice of Non-Compliant Amendment indicated that the August 18, 2004 Amendment did not comply with the requirements of 37 CFR 1.121 because a complete listing of all of the claims was not present in the Amendment.

The present application is a continuation application of U.S. Patent Application 09/908,440, filed on July 18, 2001, with original claims 1-46. In the present application, applicants filed new claims 1-98 in a Preliminary Amendment dated July 8, 2003, and cancelled claims 1-46 of U.S. Patent Application 09/908,440. In an Office Action dated June 2, 2004, the Examiner renumbered claims 1-98 filed in the present application as claims 47-144 (see page 2 of the Office Action).

In order to comply with the Notice of Non-Compliant Amendment, applicants have indicated in the attached "Amendments to the Claims" section that the original claims 1-46 of the parent U.S. Patent Application 09/908,440 have been cancelled in the present application. Applicants have also reproduced the listing of the claims provided in the August 18, 2004 Amendment of the present application. No new matter has been added.

DC-665009 v1 0307091-0158

11/05/2004 DBATES 00000006 501721 10615516

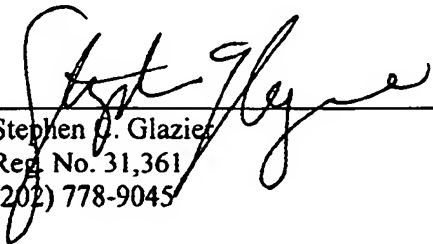
01 FC:1201 616.00 DA

Applicants submit that the August 18, 2004 Amendment is now in compliance with the requirements of 37 CFR 1.121. Applicants further submit that the present application is in condition for allowance and respectfully request favorable action in the form of a Notice of Allowance. No fee is believed due at this time, but please apply any necessary charges or credits to Deposit Account 50-1721.

Respectfully submitted,

Date: _____

13 Oct 04


Stephen O. Glazier
Reg. No. 31,361
(202) 778-9045

Kirkpatrick & Lockhart LLP
1800 Massachusetts Ave., NW
2nd Floor
Washington, DC 20036
Tel: (202) 778-9000
Fax: (202) 778-9100

PATENT APPLICATION FEE DETERMINATION RECORD
Effective January 1, 2003

Application or Docket Number

0307091/0158

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	98	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	98 minus 20 =	* 78
INDEPENDENT CLAIMS	12 minus 3 =	* 9
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

* If the difference in column 1 is less than zero, enter "0" in column 2

10/28/4 CLAIMS AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	* 35	Minus ** 98	=
Independent	* 19	Minus *** 12	= 7
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus **	=
Independent	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus **	=
Independent	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	375.00
X\$ 9=	
X42=	
+140=	
TOTAL	

RATE	FEE
BASIC FEE	750.00
X\$18=	1404
X84=	756
+280=	
TOTAL	

SMALL ENTITY OR

OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X84=	616
+280=	
TOTAL ADDIT. FEE	616

RATE	ADDITIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X84=	
+280=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X84=	
+280=	
TOTAL ADDIT. FEE	

BEST AVAILABLE COPY